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EXAMINER

LEE, PHILIP C

ART UNIT PAPER NUMBER

2152

DATE MAILED: 11/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/926,007

Applicant(s)

NISHIBE ET AL.

Examiner

Philip C. Lee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. This action is responsive to the amendment and remarks filed on September 21, 2006.
2. Claims 1-8 are presented for examination and claim 9 is canceled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

Claim Rejections – 35 USC 103

4. Claims 1-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bayer et al, U.S. Patent 6,311,190 (hereinafter Bayer), Kalpio et al, U.S. Patent 6,343,323 (hereinafter Kalpio), and Shrader et al, U.S. Patent 6,374,359 (hereinafter Shrader) in view of Byrne, U.S. Patent 6,223,288 (hereinafter Byrne).
5. Bayer, Kalpio and Shrader were cited in the last office action.
6. As per claims 1 and 4-5, Bayer taught the invention as claimed comprising:

first recording means for recording user registration form data for displaying a picture for inputting user profile data specifying a user for registration, in association with attributes relevant to said user (col. 20, lines 40-46; col. 25, line 34-col. 26, line 8),

first receiving means for receiving, from a user terminal used by said user, a transmission request for transmission of said user registration form data(col. 26, lines 34-42), along with user

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terminal identification specifying said user terminal as an argument of a target destination of the registration server and said attributes (col. 26, line 65-col. 27, line 22),

selection means for selecting said user registration form data recorded in said recording means, based on said attributes received by said first receiving means (col. 27, lines 55-61; col. 28, line 57-col. 29, line 7),

first transmission means for transmitting said user registration form data selected by said selection means to said user terminal (col. 29, line 64-col. 30, line 8),

second receiving means for receiving said user profile data which specifies said user and which has been input from said user terminal based on said user registration form (col. 30, lines 8-21), and

second recording means for recording said user profile data in association with said user terminal identification specifying said user terminal used by said user (col. 30, lines 25-42).

7. Bayer did not teach a key server. Kalpio taught a key server and content server, the key server comprising:

third receiving means for receiving the user terminal identification from the user terminal (abstract; col. 4, lines 57-59), and

second transmission means for transmitting the target destination of the contents server which enables the user terminal to download contents from said contents server (abstract; col. 4, line 51-col. 5, line 2; col. 5, lines 61-64)

8. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bayer and Kalpio because Kalpio's teaching of a key server would increase the security of Bayer's system by authenticating the user's right to access the requested resource (abstract).

9. Bayer and Kalpio did not teach generating a key based on user terminal identification. Shrader taught generating means for generating a key based on the user terminal identification to manage downloaded content from the content server (col. 2, lines 53-64; col. 4, lines 36-41; col. 7, lines 50-65).

10. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Bayer, Kalpio and Shrader because Shrader's teaching of generating a key based on user terminal identification would increase the security of Bayer's and Kalpio's systems by preventing an unauthorized user from capturing the cookie value (user terminal identification) and using it with his or her web browser (col. 6, lines 64-66).

11. Although Shrader did not specifically teach transmitting the key, however, Shrader disclosed individually on each content server (web server) must perform access control (col. 1, lines 19-23). Therefore, It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include transmitting a key to the content server because by doing so it would increase the security of their system by allowing servers to perform access control based on the authentication of a key transmitted from a user.

12. Bayer, Kalpio and Shrader did teach transmitting a program for access to a server. Byrne taught transmitting a program for access to a key server (col. 4, lines 1-14).

13. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Bayer, Kalpio, Shrader and Byrne because Byrne's teaching would make it easier for users of their system to download an access program electronically from a remote source.

14. As per claim 2, Bayer, Kalpio, Shrader, and Byrne taught the invention substantially as claimed in claim 1 above. Bayer further taught wherein the attributes include information indicating a language (col. 27, lines 9-22).

15. As per claim 3, Bayer, Kalpio, Shrader and Byrne taught the invention substantially as claimed in claim 1 above. Bayer further taught the attributes include information indicating a terminal device connected to said user terminal (col. 26, line 65-col. 27, line 22; col. 30, line 64-col. 31, line 3).

16. As per claim 6, Bayer taught the invention substantially as claimed comprising:
a sending communications unit configured to send a transmission request for
transmission of user registration form data along with user terminal identification

information to a registration server, and to send user profile form data to the registration server (col. 26, lines 34-42; col. 26, line 65-col. 27, line 22);

a receiving communication unit configured to receive user registration form data for displaying a picture for inputting user profile data (col. 20, lines 40-46; col. 25, line 34-col. 26, line 8);

a display configured to display a picture for inputting the user profile data specifying a user for registration, in accordance with attributes relevant to the user (col. 20, lines 40-46; col. 25, line 34-col. 26, line 8); and

an input element configured to input the user profile data (it is inherent that the client computer must include input element, e.g. keyboard or mouse).

17. Bayer did not teach a key server. Kalpio taught an invention comprising:

to receive a target destination of a contents server from a key server (abstract; col. 4, line 51-col. 5, line 2; col. 5, lines 61-64); and

a download unit configured to download contents from the contents server (abstract; col. 4, line 51-col. 5, line 2; col. 5, lines 61-64).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bayer and Kalpio because Kalpio's teaching of a key server would increase the security of Bayer's system by authenticating the user's right to access the requested resource (abstract).

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19. Bayer and Kalpio did not teach generating a key based on user terminal identification. Shrader taught a key based on the user terminal identification to manage downloaded content from the content server (col. 2, lines 53-64; col. 4, lines 36-41; col. 7, lines 50-65).

20. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Bayer, Kalpio and Shrader because Shrader's teaching of a key based on user terminal identification would increase the security of Bayer's and Kalpio's systems by preventing an unauthorized user from capturing the cookie value (user terminal identification) and using it with his or her web browser (col. 6, lines 64-66).

21. Bayer, Kalpio and Shrader did teach receiving a program for access to a server. Byrne taught receiving a program for access to a key server (col. 4, lines 1-14).

22. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Bayer, Kalpio, Shrader and Byrne because Byrne's teaching would make it easier for users of their system to download an access program electronically from a remote source.

23. As per claims 7 and 8, Bayer taught the invention substantially as claimed comprising: transmitting to a registration server a request for transmission of user registration form data along with user terminal identification specifying the user terminal (col. 26, lines 34-42; col. 26, line 65-col. 27, line 22);

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receiving user registration form data from the registration server (col. 20, lines 40-46; col. 25, line 34-col. 26, line 8);

displaying a picture for inputting user profile data specifying a user for registration, in accordance with attributes relevant to the user (col. 20, lines 40-46; col. 25, line 34-col. 26, line 8);

inputting the user profile data specifying the user for registration based on the user registration form data (col. 30, lines 8-21); and

transmitting the user profile data entered by the inputting step to the registration server (col. 30, lines 8-30).

24. Bayer did not teach a key server. Kalpio taught a method comprising:

transmitting to the key server the user terminal identification specifying the user terminal (abstract; col. 4, lines 57-59), and

receiving from the key server a target destination of a contents server which enables the downloading of contents from the contents server (abstract; col. 4, line 51-col. 5, line 2; col. 5, lines 61-64).

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Bayer and Kalpio because Kalpio's teaching of a key server would increase the security of Bayer's system by authenticating the user's right to access the requested resource (abstract).

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26. Bayer and Kalpio did not teach generating a key based on user terminal identification. Shrader taught a key based on the user terminal identification to manage downloaded content from the content server (col. 2, lines 53-64; col. 4, lines 36-41; col. 7, lines 50-65).

27. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Bayer, Kalpio and Shrader because Shrader's teaching of a key based on user terminal identification would increase the security of Bayer's and Kalpio's systems by preventing an unauthorized user from capturing the cookie value (user terminal identification) and using it with his or her web browser (col. 6, lines 64-66).

28. Bayer, Kalpio and Shrader did teach receiving a program for access to a server. Byrne taught receiving a program for access to a key server (col. 4, lines 1-14).

29. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Bayer, Kalpio, Shrader and Byrne because Byrne's teaching would make it easier for users of their system to download an access program electronically from a remote source.

CONCLUSION

30. Applicant's arguments with respect to claims 1-8, filed 9/21/06, have been fully considered and are moot in view of new grounds of rejection.

31. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Larose et al, U.S. Patent 6,108,420

32. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).


Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or

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Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

P.L.



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